

1 STEVEN G. KALAR
Federal Public Defender
2 JOHN PAUL REICHMUTH
Assistant Federal Public Defender
3 555 - 12th Street, Suite 650
Oakland, CA 94607-3627
4 Telephone: (510) 637-3500
5 Counsel for Defendant HERNANDEZ

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11) No. CR 12- 000705-YGR
Plaintiff,)
12)
vs.) STIPULATION TO CONTINUE; ORDER
13) CONTINUING CASE AND EXCLUDING
ALONZO JUAN HERNANDEZ,) TIME UNDER THE SPEEDY TRIAL ACT
14)
Defendant.)
15 _____)

16 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
17 MOTIONS/TRIAL SETTING HEARING date of November 29, 2012 presently scheduled at
18 2:00 p.m., before the Honorable Yvonne Gonzales Rogers, be vacated and re-set for January 10,
19 2013 at 2:00 p.m. for TRIAL OR MOTIONS SETTING OR DISPOSITION HEARING.

20 The primary reason for this request is that defense counsel is continuing to review
21 discovery and investigate this case. This case will require significant investigation, as well as
22 conference between the parties. The allegations in this case are serious, and the sentencing
23 exposure may depend on records located in various local jurisdictions as well as other factual
24 investigation. Several hundred pages of discovery were recently produced and have yet to be
25 reviewed. Further, defense counsel will be transferring this case to new counsel as of November
26

1 30, 2012, due to family leave. New counsel will thus need time to familiarize herself with the
2 case.

3 The parties agree and stipulate that the time until January 10, 2013 should be excluded,
4 under 18 U.S.C. §3161(H)(7)(A) because the ends of justice served by the granting of the
5 continuance outweigh the best interests of the public and the defendant in a speedy and public
6 trial. The continuance is necessary to accommodate counsel's preparation efforts.

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8 Date 11/28/12 /s/
9 John Paul Reichmuth
10 Assistant Federal Public Defender
11 Counsel for defendant STEPHENS

12 Date 11/28/12 /s/
13 James Mann
14 Assistant United States Attorney

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
16 within this efiled document.

/S/ John Paul Reichmuth
Counsel for Defendant Hernandez

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and the continuity of defense counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter be continued to January 10, 2013 at 2:00 p.m., and that time be excluded from the date of this order to January 10, 2013 pursuant to 18 U.S.C. §§3161(h)(7)(A).

IT IS SO ORDERED.

November 29, 2012
Date


HON. YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE